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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/072,860

02/09/2002

Thomas A. Ancel

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12/22/2004

Henry W. Cummings
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EXAMINER

TRUONG, BAO Q

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/072,860	ANCEL, THOMAS A.	
Examiner	Art Unit	
Bao Q. Truong	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4 and 14-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4,37-43 and 45 is/are allowed.
- 6) ☒ Claim(s) 14-25,27-36 and 44 is/are rejected.
- 7) ☒ Claim(s) 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 3, 4, 14, 15, 19, 22, 24, 25, 26, 31-37, 39 and 41-45 are objected to because of the following informalities:

Claims 3 and 4, there is lack of antecedent basis for "said mounting of the pipe bollard light fixture".

Claim 14, there is lack of antecedent basis for "the hinge design of bulb location, frame design, and cooling holes"; "the touch" should be changed to --a touch--.

Claim 15, "a adjustable" should be changed to --an adjustable--.

Claim 19, "a light body" and "a light source" should be changed to --the light body-- and --the light source-- or --said light body-- or --said light source--.

Claims 22 and 24, "a light source" should be changed to --the light source--.

Claim 25, "mounting means" should be changed to --said mounting means-- or --the mounting means--.

Claims 26 and 36, there is lack of antecedent basis for "the case".

Claim 31, there is lack of antecedent basis for "the housing and frame area" and "said housing".

Claim 32, there is lack of antecedent basis for "said light bulb" and "said housing and frame".

Claim 33, there is lack of antecedent basis for "the conversion".

Claim 34, there is lack of antecedent basis for "said light fixture" and "said horizontal and vertical mounting angles".

Claim 35, there is lack of antecedent basis for "said housing".

Claims 37 and 45, there is lack of antecedent basis for "the body of the pipe mount light structure", "said light body structure" and "the light body structure"; "the fork truck" should be changed to --a folk truck--; "the truck trailer" should be changed to --a truck trailer--.

Claim 39, "said hinge assembly" should be changed to --said hinge pipe assembly-- for consistency.

Claim 41, there is lack of antecedent basis for "the light body structure", "the hinge tube" and "the light body"; "a nylon nut" should be changed to --the nylon nut--.

Claim 42, there is lack of antecedent basis for "said second leg", "the body of the pipe mount structure", "the door seal", "the door jamb", and "said mounting of the door jamb light fixture"; "door jam" in line 3 should be changed to --door jamb--.

Claim 43, there is lack of antecedent basis for "said mounting of the doorjamb light fixture" and "the doorjamb".

Claim 44, there is lack of antecedent basis for "said mounting of the door jamb light fixture".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 18-21, 30-33 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Metz [US 5,709,458].

Regarding claim 18, Metz discloses a loading dock spot light having a light body [12, 16, 14], a light source [64], a mounting means [20, 22], means to prevent burns [26, 28, 34], means to convert from left to right hand mounting [16], and means [44] for connecting to an electrical source (figures 1-6).

Regarding claim 19, Metz discloses a housing [18], a frame [60, 54] and means [66] to mount a light source [64] (figures 3 and 5).

Regarding claim 20, Metz discloses the housing [18] protecting to all internal elements (figure 3).

Regarding claim 21, Metz discloses a frame [60, 54] providing means [62, 65] to mount the light body [14] to a permanent structure [72] (figures 1-6).

Regarding claim 30, Metz discloses vent holes [28] in the light body [12, 16, 14] and internal free air space (figures 3-5).

Regarding claim 31, Metz discloses vent holes [28] being located in a housing [18] (figure 3).

Regarding claim 32, Metz discloses an internal free air to cool off a light bulb [14] (column 28-35).

Regarding claim 33, Metz discloses the means conversion [16] (figure 6).

Regarding claim 35, Metz discloses a means [44] to connect to a source of electrical power having a length [40] passing through the housing [18] (figure 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-17, 22-25, 27, 28, 29, 34 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Metz in view of Hertenstein [US 4,973,016].

Regarding claim 14, Metz discloses cooling holes [28] providing a cool surface to a touch; but Metz does not disclose the hinge design and frame design.

Hertenstein teaches the use of the hinge design [at axis A, B] and the frame design in a loading docket light assembly (abstract, column 4 lines 25-30, figures 1-2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify a mounting structure of Metz by the hinge design and the frame design in the loading dock light as taught by Hertenstein to swing of an arc of approximately 180 degrees for purpose of providing an advantageous way of a wide angle illumination.

Regarding claim 15, Hertenstein discloses a light bulb [18] mounted in an adjustable fixed head design [30] (figures 1-2).

Regarding claim 16, Hertenstein discloses the hinge design [at axis A, B] including a horizontal axis swing design (figure 2).

Regarding claim 17, Hertenstein discloses a standard light bulb [18] (figure 2).

Regarding claims 22 and 23, Hertenstein discloses an internal structure [26, 28, 30] (figure 2).

Regarding claim 24, Metz discloses a halogen lamp (column 3 line 10).

Regarding claim 25, Hertenstein discloses a mounting plate [24], hinges [at A] and fasteners [36, 37] (figures 1 and 4).

Regarding claim 27, Hertenstein discloses the hinges [at axis A and B] permitting free angular rotational motion of the spot light [18] and providing means [44] for the spot light [18] to remain firmly in one position (figure 2).

Regarding claims 28 and 29, Hertenstein discloses bolts [45], nuts [49] and washers [43] (figures 3).

Regarding claim 34, Hertenstein discloses the conversion means [26, 28, 30] having a plurality of internal mounting studs [44, 64] (figures 2 and 3).

Regarding claim 36, Hertenstein discloses a flat portion [24] (figure 2).

Regarding claim 44, Hertenstein discloses a mounting of door jamb light fixture allowing a light [18] to swing (figures 1-2).

Allowable Subject Matter

6. Claim 26 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 26, the mounting plate is curved to fit on a pipe bollard.

7. Claims 3, 4, 37-43 and 45 are allowed.

Claims 37 and 45, a loading dock light comprises, in combination, a vertical curved mounting plate mounted to a pipe bollard and a hinge pipe assembly located on the vertical curved mounting plate to ensure a light structure to move forward and backwards while being hit by a forklift.

Claims 3, 4 and 38-41 are dependent on claim 37.

Claim 42, a loading docket light comprises, in combination, a vertical L shaped having a pair of legs; and a means for mounting a hinge pipe assembly having a light on a second leg to allow to swing behind a door seal and to swing out and away from a door jamb.

Claim 43 is dependent on claim 42.

The limitations discussed above are neither disclosed nor suggested by the prior art of record.

Conclusion

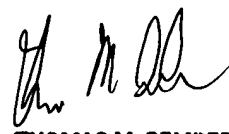
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Metz [US 6,634,139] discloses a dock light warning system. Ancel [US 6,812,849] discloses loading dock traffic automation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Q. Truong
Examiner
Art Unit 2875


THOMAS M. SENDER
PRIMARY EXAMINER